

1 MELANIE D. MORGAN, ESQ.
2 Nevada Bar No. 8515
3 SCOTT R. LACHMAN, ESQ.
4 Nevada Bar No. 12016
5 LILITH V. XARA, ESQ.
6 Nevada Bar No. 13138
7 **AKERMAN LLP**
8 1635 Village Center Circle, Suite 200
9 Las Vegas, Nevada 89134
10 Telephone: (702) 634-5000
11 Facsimile: (702) 380-8572
12 Email: melanie.morgan@akerman.com
13 Email: scott.lachman@akerman.com
14 Email: lilith.xara@akerman.com

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17 *Attorneys for US Bank National Association,
as Trustee for the Specialty Underwriting
and Residential Finance Trust Mortgage Loan
Asset-Backed Certificates Series 2006-BC4*

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

17 US BANK NATIONAL ASSOCIATION, AS
18 TRUSTEE FOR THE SPECIALTY
19 UNDERWRITING AND RESIDENTIAL
20 FINANCE TRUST MORTGAGE LOAN
ASSET-BACKED CERTIFICATES SERIES
2006-BC4,

21 Plaintiff,

22 vs.

23 WOODLAND VILLAGE HOMEOWNERS
24 ASSOCIATION; WESTLAND REAL ESTATE
25 DEVELOPMENT AND INVESTMENTS;
THUNDER PROPERTIES, INC.; AND PHIL
FRINK & ASSOCIATES, INC.,

Defendants.

Case No. 3:16-cv-00501-RCJ-CSD

STIPULATION AND ORDER TO
WITHDRAW MOTION FOR SUMMARY
JUDGMENT, OPPOSITION TO
SUMMARY JUDGMENT, AND MOTION
TO RE-OPEN DISCOVERY; AND TO
JOINTLY REQUEST DISCOVERY BE
RE-OPENED

1 US Bank National Association, as Trustee for the Specialty Underwriting and Residential
2 Finance Trust Mortgage Loan Asset-Backed Certificates Series 2006-BC4 (**U.S. Bank**) and Thunder
3 Properties, Inc., (**Thunder**) stipulate as follows:

4 (1) On January 17, 2023 U.S. Bank filed its motion for summary judgment. ECF No. 68.
5 (2) On February 21, 2023, Thunder filed its response to motion for summary judgment, ECF
6 No. 71, and a motion requesting discovery be re-opened. ECF No. 72.

7 (3) The parties jointly request the court permit U.S. Bank to withdraw its motion for summary
8 judgment, Thunder to withdraw its response to motion for summary judgment, and its motion to re-
9 open discovery.

10 (4) The parties jointly agree that there are issues which have not been the subject of discovery
11 previously due to developing caselaw and other factors not within the control of the parties, including
12 relevant claims and/or defenses that had not yet ripened at the time the instant action was previously
13 dismissed and became the subject of appeal.

14 (5) The parties request the court re-open discovery, permit one-hundred and twenty (120) days
15 of additional discovery and set a new dispositive motion deadline.

16 (6) The parties believe the discovery requested is both required and in the best interests of the
17 parties and the court—so that dispositive motions and/or the final adjudication of this matter are
18 supported fully with the remaining record to be developed.

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AKERMAN LLP

1635 VILLAGE CENTER CIRCLE, SUITE 200
LAS VEGAS, NEVADA 89134
TEL.: (702) 634-5000 - FAX: (702) 380-8572

1 This request is made in good faith and not for the purpose of delay, and will not cause prejudice
2 to either party.

3 DATED this 21st day of March, 2023.

4 **AKERMAN LLP**

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6 /s/ *Lilith V. Xara*
7 MELANIE D. MORGAN, ESQ.
8 Nevada Bar No. 8515
9 SCOTT R. LACHMAN, ESQ.
10 Nevada Bar No. 12016
11 LILITH V. XARA, ESQ.
12 Nevada Bar No. 13138
13 1635 Village Center Circle, Suite 200
14 Las Vegas, NV 89134

15 *Attorneys for US Bank National Association, as
16 Trustee for the Specialty Underwriting and
17 Residential Finance Trust Mortgage Loan Asset-
18 Backed Certificates Series 2006-BC4*

19 **ROGER P. CROTEAU & ASSOCIATES, LTD.**

20 _____
21 /s/ *Timothy E. Rhoda*
22 ROGER P. CROTEAU, ESQ.
23 Nevada Bar No. 4958
24 TIMOTHY E. RHODA, ESQ.
25 Nevada Bar No. 7878
26 2810 W. Charleston Boulevard, Suite 67
27 Las Vegas, NV 89102

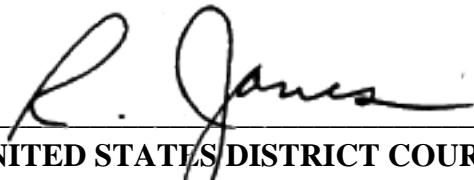
28 *Attorneys for Thunder Properties, Inc.*

AKERMAN LLP

1635 VILLAGE CENTER CIRCLE, SUITE 200
LAS VEGAS, NEVADA 89134
TEL.: (702) 634-5000 - FAX: (702) 380-8572

14 **ORDER**

15 **IT IS SO ORDERED.**

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18 **UNITED STATES DISTRICT COURT JUDGE**

19 DATED: April 27, 2023